NOTES OF CASES.

Female Veracity Judicially Vindicated.—That the "gentler" sex is rapidly taking on the "sturdy" quality is shown by a late Missouri decision—Bliss *v.* Bliss. This was a divorce case, in which the husband admitted most of the wife's imputations, but made counter imputations. The wife flatly denied everything to her disadvantage. The husband's attorney, in urging a reversal of the judgment against his client, insisted that the husband's testimony should prevail, on the ground that women as a class are untrustworthy and untruthful. In support of this contention he recited at length from the world's greatest philosophers and poets. But it was of no avail. The worthy court refused to lend legal sanction to the harping of the poets or the speculations of philosophy. The day of equality has dawned.—Case and Comment, No. 37, p. 886.

Savage Animal—Kept in Yard Adjoining Theatre Where Performance Given—Yard No Part of Theatre Premises—Liability of Proprietors of Theatre.—Connor *v.* Princess Theatre. The general rule of law is, that if a person, whether owner or not, harbours a dangerous animal, or allows it to be on and resort to his premises and such animal causes damage to another, the person harbouring the animal is liable to an action for the damages. See McKone *v.* Wood (1831), 5 C. & P. 1; May *v.* Burdett, (1846), 9 Q. B. 101 approved of in Baker *v.* Snell (1908), 2 K. B. at p. 355.

In this case it was sought to attach liability to managers of the theatre, where the owner of the monkey was engaged. The premises adjoining the theatre on which the monkey was when it bit the plaintiff's child was not the premises of the defendant, nor under their control. Neither the defendants nor the performers had a right to use the yard, therefore, the monkey could not be said to be harboured by the defendants, and no liability attached to them.—Canada Law Journal, February, 1913.

Proximate Cause.—One Williams was driving his automobile on the right-hand side of a public way at the rate of about 15 miles an hour. On the other side of the street, going slowly in the opposite direction, was an ice wagon with a single heavy horse attached. A large dog, weighing 135 pounds, ran toward the automobile, barking as he ran. When he reached the automobile he snapped at the right fore tire, but missed it, and his body struck the left fore wheel, which caused the automobile to skid to the other side of the road, so that, while still in contact with the dog, it came directly in front of the horse of the ice wagon, which reared and descended upon the top of the automobile injuring it. The dog did not touch the horse. Defendant in an action for such injuries contended that the jury was not warranted in finding that the dog was the sole, direct and proximate

cause of the injury, and excepted to an order refusing to direct a verdict in his favor. The Supreme Judicial Court of Massachusetts overruled the exception in Williams *v.* Brennan, 99 Northeastern Reporter, 516.

Innkeeper's Liability—Lost Luggage—Termination of Relation of Innkeeper and Guest—Contributory Negligence.—Portman *v.* Griffin. Where a guest, having stayed at a hotel for two nights, paid his bill and left his luggage with the hall porter so that he might get it without delay when he called for it, and the County Court Judge found that the relation of innkeeper and guest had ceased to exist when the bill was paid and that there had been contributory negligence in the directions given as to the temporary care of the luggage, held, that these were questions of fact and that there was evidence to support the Judge's findings.

Appeal from the decision of the Judge of the Westminster County Court. The plaintiff, Mr. G. Portman, sued the defendant, the proprietor of the Jermyn Court Hotel, to recover damages for the loss of a suit case belonging to him, the value of which was assessed by the Judge at 18*l.*

The plaintiff, who was a member of the University of Oxford and also a student at the Inner Temple, was staying in town for the purpose of eating his dinners preparatory to being called to the Bar. On April 24 last he went to the defendant's hotel, where he remained for two nights. On April 26, at about 5,30 in the evening, he paid his bill and directed that his luggage should be brought from his room. He informed the porter that he should be leaving Paddington Station at 9:30 p. m. for Oxford after dining at the Inner Temple, and that he would call for his luggage in a cab, and desired that it should be placed in a convenient place so that he might get it without delay. He told the lady clerk in the office the same thing. The luggage, with the plaintiff's knowledge, was placed near the little office in the hall where the doorkeeper or hotel porter sat, and upon the plaintiff calling for it the suit case had gone.

The County Court Judge held that the relation of innkeeper and guest had ceased to exist when the plaintiff paid his bill, and that there had been contributory negligence on the part of the plaintiff in the directions given by him as to the place where the luggage should be put. The plaintiff appealed.

Ernest Walsh appeared for the plaintiff; and Hilbery for the defendant.

Their Lordships dismissed the appeal, holding that the questions as to whether the relationship of innkeeper and guest had come to an end, and of the contributory negligence on the part of the plaintiff, were questions of fact, and that there was evidence to support the findings of the Judge in regard to them. Appeal dismissed.

Solicitors: Andrew Walsh, Gray & Rose for the appellant; Stilgoes for the respondent.—London Law Journal, February, 1913.